

Representative Agreement Termination Procedures

1. Governing policy

These procedures relate to the International Representative Policy (“policy”).

They describe how staff will enact the policy and the steps taken where a decision has been made to terminate an international representative’s (“representative”) agreement.

2. Scope

These procedures apply to staff involved in the process of terminating an International Representative Agreement (“agreement”).

3. Procedures

These procedures set out the three key processes involved in the termination of a representative’s agreement as per Table 1 below:

1. Proof of evidence

A record of evidence that the representative has breached its obligations under the agreement.

2. Warning/termination of agreement

In the event that a representative has been found to have breached his/her obligations, the institution may either issue a formal warning to the representative or terminate the agreement in writing.

3. Recording the decision

All decisions to terminate an agreement will be recorded on the Institution’s

database and any future requests to form an agreement with that representative may be declined.

Table 1.

Process	Responsibilities
1. Proof of evidence	
<p>Country Manager submits evidence (or a reasonable suspicion) to Senior Vice President (SVP) Domestic and International Development to demonstrate that the representative has breached its obligations including but not limited to:</p> <ul style="list-style-type: none"> a. participating in false or misleading recruitment practices; b. deliberate attempt to recruit a student where it conflicts with the institution’s obligations under the National Code Standard 7; c. providing migration advice to international students in breach of migration legislation; or d. acting in any other manner deemed unacceptable by the Institution. <p>2. SVP Domestic and International Development, after discussion with Country Manager, makes a recommendation to the Chief Executive Officer (CEO) as follows:</p> <ul style="list-style-type: none"> a. a formal warning including corrective action and timelines where appropriate; or b. terminate the agreement immediately if: <ul style="list-style-type: none"> • the representative is participating in false or misleading recruitment practices OR if it involves an employee or subcontractor, the representative must terminate its relationship with the employee or subcontractor (as determined by the Institution); or • for other reasons as stipulated in the Representative Agreement. 	<p>Country Manager SVP Domestic and International Development</p>
2. Warning/ termination of agreement	
<ul style="list-style-type: none"> 1. Manager International drafts the warning letter or letter of termination and submits to CEO for approval. 2. CEO approves and signs the warning letter or letter of termination. 3. SVP Domestic and International Development sends the warning letter or letter of termination to the representative. 	<p>Manager International; SVP Domestic and International Development CEO</p>
3. Recording the decision	
<ul style="list-style-type: none"> 1. Termination decision to be recorded in the institution’s database by Manager International. 2. Representative office and all branches to be removed from the institution’s website and Provider Registration and International Student Management System (PRISMs). 3. Notification of representative termination sent to appropriate staff in the institution. 	<p>Manager International</p>

4. Roles and responsibilities

4.1 The Senior Vice President (SVP) Domestic and International Development is responsible for overseeing representative termination practices in accordance with these procedures and making recommendations to the CEO on representative warning and/or termination.

4.2 Country Managers are responsible for reporting representative misconduct and providing reasonable proof.

4.3 The Chief Executive Officer is responsible for approving representative warnings and/or terminations.

5. Compliance and monitoring

These procedures are written in accordance with Standard 4 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* and *Higher Education Standards Framework 2021*.

6. Records management

As detailed in Table 1 above, the termination of a representative's agreement are recorded in the Institution's database.

7. Related documents

International Representative Policy

Monitoring Representatives and Agreement Renewal Procedures

Representative Engagement and Appointment Procedures

Training of Representative Procedures

Approved by the Board of Directors on 7 December 2020